



VENTURA LOCAL AGENCY FORMATION COMMISSION

COUNTY GOVERNMENT CENTER • HALL OF ADMINISTRATION

800 S. VICTORIA AVENUE • VENTURA, CA 93009-1850

TEL (805) 654-2576 • FAX (805) 477-7101


HTTP://WWW.VENTURA.LAFCO.CA.GOV

MEMORANDUM

10-22

DATE: February 1, 2012

TO: Dan Goodwin, Assessor
Christine Cohen, Auditor-Controller
Laurie Kurilla, Geographic Information Officer
Michael Sullivan, Chief Deputy County Surveyor

FROM: Kai Luoma, Deputy Executive Officer 

SUBJECT: Detachment of Territory from the City of Thousand Oaks

Government Code Section 56742 provides LAFCo with the authority to approve an annexation to a city of territory that is noncontiguous to the city boundary so long as the territory is located in the same county as the city, owned by the city, and used for municipal purposes. When any or all of such territory is sold by the city, all of the territory no longer owned by the city shall cease to be part of that city.

In 1994, LAFCo approved the annexation of noncontiguous territory to the City of Thousand Oaks for purposes of municipal water storage. It has come to our attention that in 2010 the City transferred ownership of a portion of this territory (Assessor parcel 673-0-150-730) to Cecilia Byun, a private party (see attached Grant Deed). Pursuant to Government Code § 56742(e), upon the sale of this parcel by the City it ceased to be part of the City.

We request that all maps of the City of Thousand Oaks boundary be corrected to exclude Assessor parcel 673-0-150-730. It is also requested that tax rate area information be updated and/or changed, as necessary.

Please do not hesitate to contact me should you have any questions.

Attachment

C: David Hutchinson, ITS/GIS
Chad Christenson, Assessor's Office
Alex Mathews, Surveyor's Office
Allison Maddox, Elections
Scott Mitnick, City of Thousand Oaks



STATE BOARD OF EQUALIZATION
PROPERTY AND SPECIAL TAXES DEPARTMENT
TAX AREA SERVICES SECTION, MIC: 59
PO BOX 942879, SACRAMENTO CALIFORNIA, 94279-0059
916 274-3250 - FAX 916 285-0130
<http://www.boe.ca.gov/>
TASS@boe.ca.gov

BETTY T. YEE
First District, San Francisco

SEN. GEORGE RUNNER (Ret.)
Second District, Lancaster

MICHELLE STEEL
Third District, Orange County

JEROME HORTON
Fourth District, Los Angeles

JOHN CHAING
Controller, Sacramento

CYNTHIA BRIDGES
Executive Director

Kai Luoma, Executive Director
Lafco
800 S. Victoria Avenue
Ventura, CA 93009-1850

RECEIVED
DEC 17 2012

Ventura LAFCo

This is to acknowledge receipt of the statement(s) required by Section 54900, et seq., of the Government Code for the action described below. Copies of your documents will be forwarded by us to other agencies. You are required by Section 54902 of the Government Code to file a complete set of documents, except for the processing fee, with the County Assessor and Auditor affected by this action.

Tax rate area boundaries and property tax allocations will become effective for the assesment roll indicated below.

Assessment Roll: **2013/14**

County: **56 Ventura**

District: **01 [0012] CITY - THOUSAND OAKS**

Conducting Authority: **LAFCO**

Short Title: **DETACHMENT OF TERRITORY FROM THE CITY OF THOUSAND OAKS**

Type of Action: **14 City - Detachment**

Resolution/Ord. No.:

LAFCo No.:

Effective Date: **07/14/2010**

Fee:

Acreage: **0.04**

City Boundary Change

Estimated Population: **0**

Total assessed value of all property in subject territory: **0**

BOE File No.: **2013-010**

Received at BOE: **12/12/2012**

Date of Acknowledgement: **12/12/2012**

Distribution: **0**

David W. Yeung

David W. Yeung
Principal Property Appraiser
State-Assessed Properties Division

RECORDING REQUESTED BY

DO NOT PLACE RECORDING DATA ABOVE THIS LINE

AND WHEN RECORDED, MAIL THIS DEED
AND, UNLESS
OTHERWISE SHOWN BELOW, MAIL TAX
STATEMENT TO:

Name CITY OF THOUSAND OAKS
CITY CLERK'S OFFICE
Address 2100 THOUSAND OAKS BOULEVARD
City THOUSAND OAKS
State CA
Zip 91362-2903

Title Order No. N/A

Escrow No. N/A



20100714-00103249-0 1/3

Ventura County Clerk and Recorder
James B. Becker, Assistant
07/14/2010 03:52:26 PM
432407 \$6.60 PE

NO FEE GOVT CODE 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Grant Deed

THE UNDERSIGNED GRANTOR DECLARE

DOCUMENT TRANSFER TAX IS \$ 6.60

☒ unincorporated area of Ventura County ☐ City of Thousand Oaks
Parcel No. 673-0-150-150 (PORTION)

☒ computed on full value of interest or property conveyed, or☐ computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CITY OF THOUSAND OAKS, Grantor, hereby GRANT(S) to CECILIA BYUN, Grantee, in fee the following described real property in the County of VENTURA, State of California: Portion of Lot 24, Block 30 (City of Thousand Oaks Ventu Park Reservoir Site) as fully described in Exhibits "A" and "B" attached and made a part hereof by reference.

Notwithstanding the above, said portion of Lot 24 shall be restricted in use to include only landscape improvements and provide vehicular access to merged Lots 21 and 22, better known as 485 Kathleen Drive. This restriction shall run with the land.

STATE OF CALIFORNIA)

) ss.

COUNTY OF)

On, May 26, 2010 before me,
Sandi L. Bravo a Notary
Public in and for said County and State, personally appeared
Jay T. Spurgin who
proved to me on the basis of satisfactory evidence to be the
person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument, the person(s) or the
entity upon behalf of which the person(s) acted, executed the
instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and
correct.

WITNESS my hand and official seal

Signature

Sandi L. Bravo

Jay T. Spurgin
OWNER SIGNATURE

JAY SPURGIN

City Engineer, City of Thousand Oaks
Ventura County, California



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

CECILIA BYUN, 2130A NEWBURY ROAD, NEWBURY PARK CA 91320
Name Street Address City, State & Zip

Exhibit A

10-22

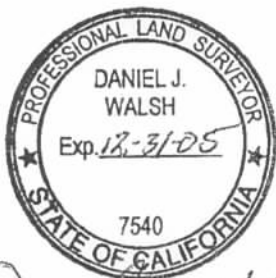
A portion of Lot 24

Being a portion of Lot 24, Block 30, shown on map recorded in the office of the County Recorder of said County, in Book 50, Page 13 of Record of Surveys more particularly described as follows:

Beginning at the Southwest corner of said Lot 24, thence

- 1st North 71° 32' 50" East 60.00 feet along the Southerly line of said Lot 24, to a point on said South line, thence leaving said line
- 2nd North 18° 27' 10" West 36.50 feet; thence,
- 3rd South 71° 32' 50" West 4.70 feet; thence,
- 4th North 15° 27' 06" West 20.60 feet; thence,
- 5th North 7° 21' 00" West 10.20 feet more or less to the Northerly line of said Lot 24; thence,
- 6th South 22° 33' 50" West 88.90 feet along the said Northwesterly line of Lot 24 more or less to the Southwest corner of said Lot 24, Being the Point of Beginning

Said portion of Lot 24 contains 1956 square feet, more or less.



Daniel J. Walsh

LINE TABLE		
LINE	LENGTH	BEARING
L1	60.00	N71°32'50"E
L2	36.50	N18°27'10"W
L3	4.70	S71°32'50"W
L4	20.60	N15°27'06"W
L5	10.20	N07°21'00"W
L6	88.90	S22°33'50"W

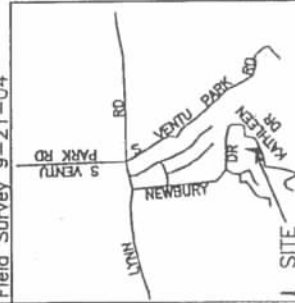
22 & 21

Notice of Merger No. 84291
5/2/85 85-045386 O.R.



Daniel J. Walsh

Field Survey 9-21-04



Location Map
Not to Scale
Use: 556-V-1882

SAGE Consultants, Inc.
1978 Ventura Blvd., CAMARILLO CA 93010-7847
Tel. (805) 482-6088 • Fax (805) 389-9815

Date 10-29-2004

Legend	
Property Line	AC
Easement	CLF
Legal Description	SF
Edge of Pavement	EP
Point of Beginning	POB
Property lines shown per 50 RS 13.	

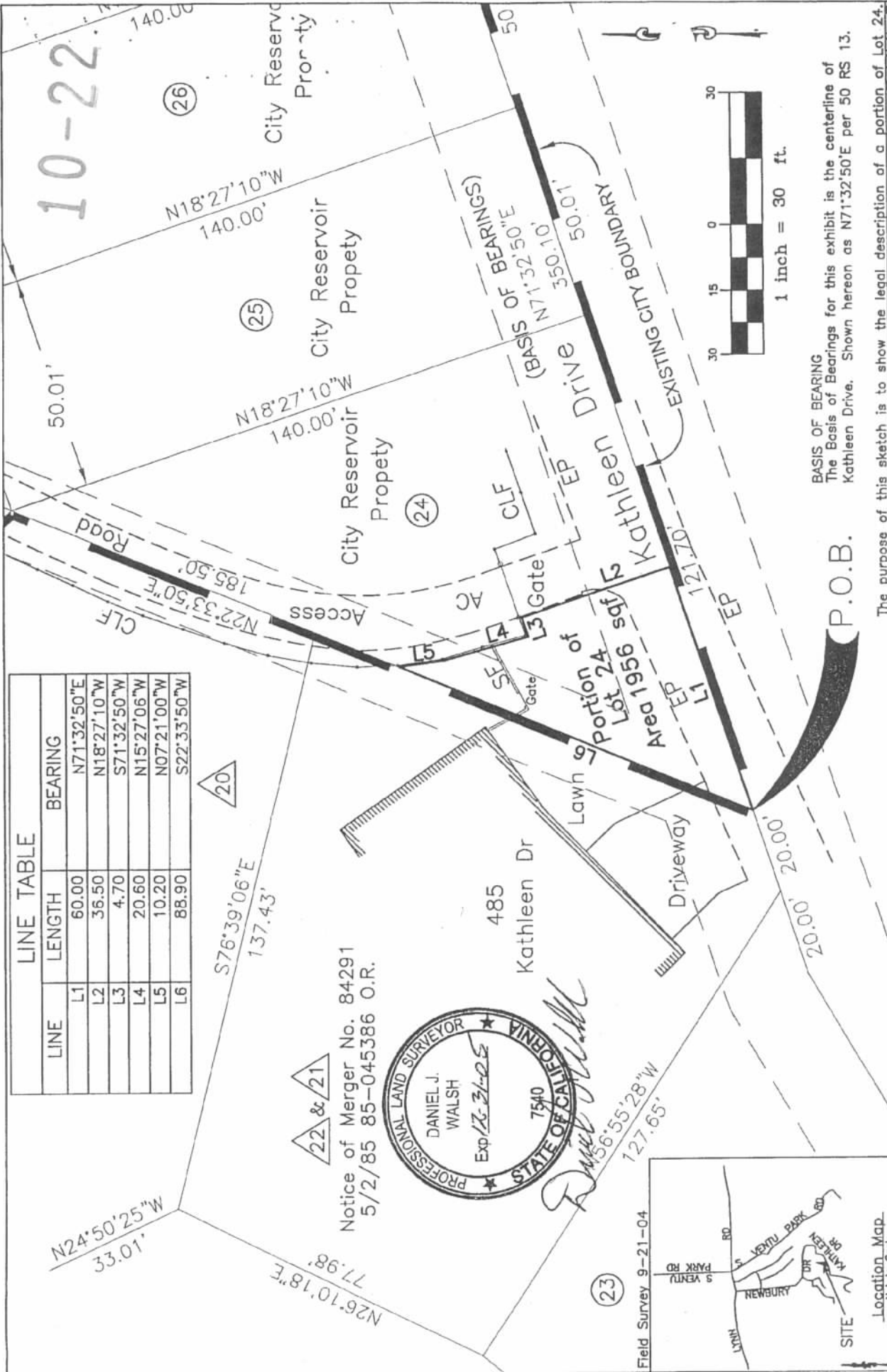
P.O.B.

BASIS OF BEARING
The Basis of Bearings for this exhibit is the centerline of Kathleen Drive, Shown hereon as N71°32'50"E per 50 RS 13.



The purpose of this sketch is to show the legal description of a portion of Lot 24, Exhibit B

Exhibit of Land Description
A Portion of Lot 24
City Ventu Park Reservoir Site
Kathleen Dr Thousand Oaks CA



LEROY SMITH
COUNTY COUNSEL

MICHAEL G. WALKER
CHIEF ASSISTANT

ALBERTO BOADA
PRINCIPAL ASSISTANT



COUNTY COUNSEL

COUNTY GOVERNMENT CENTER
800 SOUTH VICTORIA AVENUE, L/C #1830
VENTURA, CALIFORNIA 93009
PHONE NO. (805) 654-2580
FAX NO. (805) 654-2185

ASSISTANTS

Linda K. Ash	Lori A. Nemiroff
Jeffrey E. Barnes	Roberto R. Orellana
Winnie Cai	John E. Polich
Mitchell B. Davis	Marina Porche
Alison L. Harris	Joseph J. Randazzo
Oliver G. Hess	Jaclyn Smith
Mi K. Kim	Matthew A. Smith
Cynthia Krause	Linda L. Stevenson
Robert N. Kwong	Thomas W. Temple
Patricia McCourt	Eric Walts
Ilene F. Mickens	

February 21, 2012

Ralph Davis
California Department of Equalization
Property and Special Taxes Department
Post Office Box 942879
Sacramento, CA 94279-0064

Subject: Detachment of Noncontiguous Incorporated Territory from a City

Dear Mr. Davis:

This office serves as legal counsel for the Ventura Local Agency Formation Commission (Ventura LAFCo). We send this letter to you at the request of Ventura LAFCo staff.

Government Code section 56742 (section 56742), subdivision (a), provides a local agency formation commission with the authority to approve an annexation to a city of territory that is noncontiguous to the city boundary so long as the territory does not exceed 300 acres; is located in the same county as that in which the city is situated; is owned by the city; and is used for municipal purposes at the time commission proceedings are initiated. Section 56742, subdivision (e), provides that "[w]hen any or all of the territory annexed to a city pursuant to this section is sold by the city, all of the territory that is no longer owned by the city shall cease to be a part of that city."

In 1994, Ventura LAFCo approved the annexation of noncontiguous territory to the City of Thousand Oaks (City) for purposes of municipal water storage. Ventura LAFCo staff has recently become aware that the City transferred ownership of a portion of this territory, described as Assessor Parcel Number 673-0-150-730, to a private party in

Ralph Davis
February 21, 2012
Page 2

2010. Pursuant to section 56742, when this parcel was sold by the City, it ceased to be part of the City by operation of law.

Section 56742, subdivision (g), provides, in part, that when territory ceases to be part of a city pursuant to that section, the legislative body of the city shall adopt a resolution confirming the detachment, and the city clerk shall, immediately upon adoption of the resolution, make any filing required by chapter 8 of part 4 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Government Code section 57200. This includes the filing of a statement of boundary change with the Board of Equalization, the county assessor and the county auditor (Gov. Code, § 57204).

The purpose of this letter is to inform you that Ventura LAFCo staff was contacted by City staff, who inquired about the process required to detach the above-described territory. In accordance with the provisions of law cited above, LAFCo staff informed City staff that no LAFCo action is required and recommended that the City Clerk file a statement of boundary change directly with the Board of Equalization.

If you have any questions, please contact the Ventura LAFCo deputy executive officer, Kai Luoma, at (805) 654-2576 or me.

Very truly yours,

A handwritten signature in black ink, appearing to be 'M. Walker', enclosed within a circular scribble.

MICHAEL G. WALKER
Chief Assistant County Counsel

MGW:aab

Kai Luoma - Detachment of territory from City of Thousand Oaks

From: Kai Luoma
To: ralph.davis@boe.ca.gov
Date: 02/22/2012 9:25 AM
Subject: Detachment of territory from City of Thousand Oaks
CC: Kim Uhlich; Michael Walker; jprescott@toaks.org; jspecter@toaks.org
Attachments: M Walker Letter to BOE 2-12.pdf

Hi Ralph,

As you may recall, last week we discussed provisions of LAFCo law that provide for the automatic detachment of noncontiguous territory from a city without the need for LAFCo action. The Ventura LAFCo approved the annexation of noncontiguous territory to the City of Thousand Oaks in 1994. The territory, comprised of several individual parcels, was owned by the City and is used for municipal water storage. In 2010, the City sold one of the parcels to a private party. Pursuant to Government Code 56742(e), after the sale of the property, it ceased to be part of the City.

Per your request, attached is a letter from Ventura LAFCo legal counsel regarding this matter. We understand that the City will be pursuing a resolution confirming the detachment in the near future. Please feel free to contact me should you have any questions.

Kai Luoma, AICP
Deputy Executive Officer
Ventura Local Agency Formation Commission
800 S. Victoria Avenue
Ventura, CA 93009-1850
(805) 654-2575
www.ventura.lafco.ca.gov

Kai Luoma - Re: Detachment of territory from City of Thousand Oaks

From: Kai Luoma
To: Jeffrey Specter
Date: 02/22/2012 9:58 AM
Subject: Re: Detachment of territory from City of Thousand Oaks
CC: John Prescott; Kim Uhlich
Attachments: Statement of Boundary Change-BOE.pdf

Hi Jeff,

Sections 57200 through 57203 deal with the filing requirements for a Certificate of Completion, which is a document that applies to LAFCo actions. Because LAFCo took no action as part of this detachment, it appears that these sections would not apply. Section 57204 provides for the filing of a statement of boundary change with the Board of Equalization (BOE), the county assessor, and the county auditor. A statement of boundary change is a BOE document that can, it appears, be filed by the city. We've attached a copy of a statement of boundary change form. We took the liberty of filling in some of the sections for you. Let me know if you have any questions or contact Ralph Davis at the BOE at 916-274-3257. When filing the statement, you may want to include the letter from LAFCo legal counsel which I copied to you under a separate email.

As we discussed last week, according to Ralph Davis at the BOE, the property description and map cited in 56742(g) need to meet the standards of the map/legal description prepared for annexations.

Hope this helps. Let me know if you have any questions.

Kai Luoma, AICP

Deputy Executive Officer
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>>> "Jeffrey Specter" <JSpecter@toaks.org> 02/14/2012 9:58 AM >>>
 Hello Kai:

I have been asked to prepare a resolution to confirm the detachment of the reservoir site from the City of Thousand Oaks as specified below in GC Sec. 56742. This section directs the City Clerk to make any filing required by Chapter 8 (commencing with Sec. 57200) of Part 4. I could not find this filing requirement. Do you know what it is?

Government Code Sec. 56742

(g) When territory ceases to be part of a city pursuant to this section, the legislative body of the city shall adopt a resolution confirming the detachment. The resolution shall describe the detached territory and shall be accompanied by a map indicating the territory. Immediately upon adoption of the resolution, the city clerk shall make any filing required by Chapter 8 (commencing with Section 57200) of Part 4.

Thanks

Jeffrey Specter
Senior Planner
805 449-2325

>>> "Kai Luoma" <Kai.Luoma@ventura.org> 2/1/2012 10:19 AM >>>

Good Morning,

Please see the attached memorandum regarding the detachment of territory from the City of Thousand Oaks.
Please feel free to contact me with any questions.

Kai Luoma, AICP

Deputy Executive Officer
Ventura Local Agency Formation Commission
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